

EXHIBIT 6

EXHIBIT 6 TO PRETRIAL ORDER

PLAINTIFF BIOVAIL'S FACT AND EXPERT WITNESS LIST

Subject to the availability of each witness at the time of trial, Plaintiff will call the following fact and expert witnesses in person:

Fact Witnesses:

1. **Arthur Deboeck¹**
Galephar P.R. Inc.
100 Juncos Industrial Park
Juncos, Puerto Rico 00777-3873
2. **Edith Mathiowitz, Ph.D.¹**
Brown University
Dept. of Molecular Pharmacology and Biotechnology
Box G-B393
Biomedical Center
171 Meeting Street
Providence, RI 02912
3. **Robin L. Teskin, Esq.**
Hunton & Williams LLP
1751 Pinnacle Drive, Suite 1700
McLean, Virginia 22102

Expert Witnesses:

1. **Gerald S. Brenner, Ph.D.**
3007 Oakwood Drive
Plymouth Meeting, PA 19462
2. **Martyn C. Davies, Ph.D.**
8 Orchard Place
Nottingham Business Park
Nottingham
NG8 6PX
United Kingdom

¹ Although testifying as fact witnesses, these witnesses have technical expertise, and their testimony may include technical matters.

3. **Thomas S. Foster, Ph.D.**
College of Pharmacy
University of Kentucky
725 Rose Street
Lexington, KY 40536
4. **Joel M. Neutel, M.D.**
Orange County Research Center
14351 Myford Road
Tustin, CA 92780

Subject to the availability of each witness at the time of trial, Plaintiff may call the following witnesses in person:

1. **Kenneth Albert, Ph.D.**
87 Greenwood Lane
Mount Kisco, NY 10548
2. **Wayne Kreppner**
Biovail Corporation
2488 Dunwin Drive
Mississauga, ON L5L 1J9
3. **Salim Mamajiwalla, Ph.D.**
Biovail Corporation
7150 Mississauga Road
Mississauga, Ontario L5N 8M5
CANADA
4. **Paul Maes**
Maes PharmConsult c/o Regus
Immeuble Danica B
21 Bvd Georges Pompidou
69003 Lyon, France
5. **Rolf Reininghaus**
313 Indian Valley Trail
Mississauga, Ontario
L5G 2 K9

Plaintiff plans to call the following witnesses through their deposition testimony:

1. **Brian Berry**
2. **Jack Chen**
3. **Xiu Xiu Cheng**
4. **Alan Copa**
5. **Manesh Dixit**
6. **Chaur-Ming (Steve) Jan**
7. **Xiaohong Qi**
8. **Lawrence Rosenthal**
9. **Janet Vaughn**
10. **Guohua Zhang**

EXHIBIT 7

EXHIBIT 7 TO PRETRIAL ORDER

DEFENDANT ANDRX'S FACT AND EXPERT WITNESS LIST

Subject to the availability of each witness at the time of trial, Defendant will call the following fact and expert witnesses in person:

Fact Witnesses:

1. **Xiu-Xiu Cheng**
Watson Pharmaceuticals
2915 Weston Road
Weston, Florida 33331
2. **Edith Mathiowitz, Ph.D. (adverse witness)**
Brown University
Dept. of Molecular Pharmacology and Biotechnology
Box G-B393
Biomedical Center
171 Meeting Street
Providence, RI 02912
3. **Robin L. Teskin, Esq. (adverse witness)**
Hunton & Williams LLP
1751 Pinnacle Drive, Suite 1700
McLean, Virginia 22102
4. **Salim Mamajiwalla, Ph.D. (adverse witness)**
Biovail Corporation
7150 Mississauga Road
Mississauga, Ontario L5N 8M5
CANADA

Expert Witnesses:

1. **Professor Roland Bodmeier, Ph.D.**
College of Pharmacy
Freie Universitat Berlin
Kelchstrasse 31
12169 Berlin, Germany
49 (30) 838-506-43

2. **Marvin C. Meyer, Ph.D.**
1700 S.W. Sixth Avenue
Boca Raton, FL 33486
(561) 395-1409
3. **Dr. Chuan-Yu Wu**
Formulation Engineering Research Centre
Department of Chemical Engineering
University of Birmingham
Edgbaston
B15 2TT
0121-4145365
4. **Professor Thomas Niemczyk, Ph.D.**
Department of Chemistry
University of New Mexico
Albuquerque, NM 87131
(505) 277-5319

Subject to the availability of each witness at the time of trial, Defendant may call the following witnesses in person:

1. **Arthur Deboeck (adverse witness)**
Galephar P.R. Inc.
100 Juncos Industrial Park
Juncos, Puerto Rico 00777-3873
2. **Chaur-Ming (Steve) Jan**
Watson Pharmaceuticals
2915 Weston Road
Weston, Florida 33331
3. **Janet Vaughn**
Watson Pharmaceuticals
2915 Weston Road
Weston, Florida 33331
4. **Kenneth Albert, Ph.D.**
87 Greenwood Lane
Mount Kisco, NY 10548
5. **Wayne Kreppner**
Biovail Corporation
2488 Dunwin Drive
Mississauga, ON L5L 1J9

6. **Paul Maes**
Maes PharmConsult c/o Regus
Immeuble Danica B
21 Bvd Georges Pompidou
69003 Lyon, France
7. **Rolf Reininghaus**
313 Indian Valley Trail
Mississauga, Ontario
L5G 2 K9

Defendant plans and/or reserved its right to call the following witnesses through their deposition testimony:

1. **Kenneth Albert**
2. **Gerald Brenner**
3. **Arthur DeBoeck**
4. **Thomas Foster**
5. **Paul Maes**
6. **Salim Mamajiwalla**
7. **Edith Mathiowitz**
8. **Robin Teskin**
9. **Biovail – through its Rule 30(b)(6) deposition designees (Maes and Kreppner)**

EXHIBIT 8

EXHIBIT 8 TO THE PRETRIAL ORDER
PLAINTIFF BIOVAIL'S EXPERT WITNESS LIST

Subject to the availability of each witness at the time of trial, and any future stipulations entered into by the parties, Plaintiff will call the following expert witnesses in person. In addition to identifying the expert witnesses Plaintiff expects to call at trial, Plaintiff has included a brief statement about each expert's qualifications and expected testimony.

1. **Gerald S. Brenner, Ph.D.**
3007 Oakwood Drive
Plymouth Meeting, PA 19462

Dr. Brenner holds a Ph.D. in Organic Chemistry from the University of Wisconsin. From 1961 until 1994, Dr. Brenner worked at Merck Research Laboratories, a division of Merck & Co., Inc. He retired from Merck as the Senior Director of Pharmaceutical Research and Development, and Department Head for Pharmaceutical Research with responsibility for Pharmaceutical Chemistry, Biopharmaceutical Chemistry, and Formulation Development. While at Merck, he developed experience in process research and development, preformulation research, pharmaceutical analysis and control, biopharmaceutical chemistry, and formulation development. Since retiring from Merck, Dr. Brenner has served as a private consultant to the pharmaceutical industry, providing services in all aspects of drug development from discovery to product registration, as well as support to commercial manufacture of drug substance and drug product. Dr. Brenner is affiliated with many professional organizations such as the Pharmaceutical Research and Manufacturers Association, the American Chemical Society, the United States Pharmacopeia, and Analytical Profiles of Drug Substances. As a member, Dr. Brenner has served on committees, boards, and panels within the organizations.

At trial, Dr. Brenner will testify as an expert on pharmaceutical formulations. Dr. Brenner's testimony is expected to cover (1) a tutorial on the absorption of extended-release oral dosage forms; (2) a general background on diltiazem hydrochloride and U.S. Patent No. 5,529,791 ("the '791 patent"); (3) the difference between Andrx's proposed tablet products that are the subject of this litigation and Andrx's prior capsule products that are the subject of a prior litigation in the U.S. District Court for the Southern District of Florida (Civ. Action No. 98-7096); (4) an explanation of why Andrx's proposed tablet products meet the elements of the '791 patent claims; (5) rebuttal to Andrx's allegations that the '791 patent is invalid; (6) a tutorial on dissolution testing of pharmaceutical formulations; (7) a tutorial on polymers; (8) formulation aspects of U.S. Patent No. 7,108,866 ("the '866 patent"); (9) an explanation of why Andrx's proposed tablet products meet the elements of the asserted claims of the '866 patent; and (10) rebuttal to Andrx's allegations that the '866 patent is unenforceable based on alleged inequitable

conduct. Dr. Brenner will also offer rebuttal testimony to any testimony by Andrx's witnesses concerning the same.

A more complete statement of Dr. Brenner's qualifications and expected testimony is set forth in Dr. Brenner's expert reports dated July 7, 2006; September 11, 2006; April 9, 2007; May 11, 2007; June 29, 2007; and his Curriculum Vitae attached thereto.

Defendant's Objections¹: Andrx objects to the proposed testimony of Dr. Brenner on at least the following *Daubert* grounds, which Andrx sought to brief by way of motion *in limine*, but the Court rejected Andrx's request to present the *Daubert* issues by motion *in limine*. Accordingly, Andrx has included the relevant facts and arguments in its proposed findings of fact and conclusions of law. Andrx respectfully submits, however, that *Daubert* issues should be resolved before Dr. Brenner takes the stand, based on his expert report and the admissions made in his deposition (which Andrx has designated), insofar as these issues may determine whether Biovail is even entitled to present Dr. Brenner as an expert witness.

- (A) Dr. Brenner has neither the training nor the experience necessary to have specialized knowledge in sustained release formulations (including the selection and use of polymers to make sustained release coatings of pellets) or even in drug delivery systems. Dr. Brenner's experience and training is in the chemical synthesis and characterization of active pharmaceutical ingredients ("API") – what is referred to in the industry as "pre-formulation." Dr. Brenner does not have any substantial experience or training in the design and manufacture of sustained release formulations to deliver any API (much less diltiazem) – what is referred to in the industry as "formulation." The claimed invention in this case is a particular extended or sustained release formulation. *See* Andrx Proposed Findings at ¶¶206-214, citing Dr. Brenner's designated deposition testimony. Accordingly, Dr. Brenner's expertise in "pre-formulation" does not render him an expert with respect to the issue presented in this case, and therefore will not assist the trier of fact. (Fed. R. Evid. 702-703).
- (B) Dr. Brenner's opinions are not based on any scientific analysis or testing, but instead on his mere say-so or, in some cases, outright speculation. He did not perform or supervise a single test or scientific analysis of the Andrx product. *See, e.g.*, Andrx Proposed Findings at ¶¶ 253, 256, 270-

¹ The Court has ruled that there will be no motions in limine. Biovail believes that any objections to experts should be done through cross examination at trial and the Court can handle the objections as it deems appropriate.

273, citing Dr. Brenner's designated deposition testimony. Accordingly, Dr. Brenner's intended expert testimony fails to meet the reliability requirement of Fed. R. Evid. 702-703.

- (C) Dr. Brenner basis his expert opinion on certain consulting work performed after his retirement from Merck. However, Dr. Brenner refused to provide any specific information concerning that consulting work, and thereby deprived Andrx of its right to discover the nature, quality and/or relevance of this alleged experience. *See* Andrx Proposed Findings at ¶¶ 208-209, citing Dr. Brenner's designated deposition testimony. Accordingly, his testimony should be excluded. (Fed. R. Civ. P. 26(a)).
- (D) It appears that Dr. Brenner intends to testify as to opinions not disclosed in any of his reports, including an opinion concerning polymers that he claims to have formed for the first time during his deposition. All such improperly disclosed opinions should be excluded. (Fed. R. Civ. P. 26(a)).

2. Martyn C. Davies, Ph.D.
8 Orchard Place
Nottingham Business Park
Nottingham
NG8 6PX
United Kingdom

Dr. Davies received his Ph.D. in 1985 from the Chelsea School of Pharmacy, Kings College, University of London. Dr. Davies has been a Professor of Biomedical Surface Chemistry at the University of Nottingham for the past 22 years, and served as the Head of the School of Pharmaceutical Sciences for three years. Dr. Davies has served as a consultant in the pharmaceutical industry in the areas of biomedical surface chemistry and pharmaceutical sciences, in addition to lecturing and authoring more than 320 articles on that topic. He is also a director of Molecular Profiles Ltd., which provides consulting expertise to the pharmaceutical industry. In addition to the many distinctions and prizes Dr. Davies has received, Molecular Profiles was recently awarded The Queen's Award for Enterprise in 2007; this is the highest business accolade that can be bestowed upon a United Kingdom company. In addition to being a member of numerous technical societies, Dr. Davies is a Fellow of the Royal Pharmaceutical Society in Great Britain, the Royal Society of Chemistry, and the American Institute for Medical and Biological Engineering.

At trial, Dr. Davies will testify as an expert on the analysis of pharmaceutical formulations, including the analysis techniques of Scanning Electron Microscopy ("SEM"), X-Ray Microcomputed Tomography ("Micro-CT"), Attenuated Total Reflectance/Fourier Transform Infrared Spectroscopy ("ATR-FTIR"), Optical

Microscopy, and Transmission Infrared Spectroscopy (“TIR”). Dr. Davies’ testimony is expected to cover: (1) the Andrx manufacturing process for its proposed tablet products; (2) a tutorial on the techniques that he used to analyze Andrx’s proposed tablet products; (3) the effect that Andrx’s tableting process has on the beads within its proposed tablet products; (4) the performance of Andrx’s proposed tablet products when exposed to pH conditions of the gastrointestinal tract; and (5) the formation of a homogeneous admixture of diltiazem salt and wetting agent within each and every bead of Andrx’s proposed tablet products. Dr. Davies will also offer rebuttal testimony to any testimony by Andrx’s witnesses regarding the same.

A more complete statement of Dr. Davies’ qualifications and expected testimony is set forth in Dr. Davies’ expert report dated July 7, 2006, and his Curriculum Vitae attached thereto.

Defendant’s Objections: Andrx objects to the proposed testimony of Dr. Davies on at least the following grounds:

- (A) Dr. Davies intends to offer the same opinion as Dr. Brenner to the effect that the Andrx product meets the limitation of a homogeneous admixture of diltiazem salt and wetting agent. This constitutes improper bolstering and a violation of the Court’s pretrial order prohibiting such duplication of expert testimony. According to the expert reports, Dr. Brenner is the only Biovail expert who has expressed the opinion that Andrx’s product meets this limitation, and he should be the only Biovail expert allowed to so testify. Dr. Davies’ report does not even refer to the patent. To the extent that Dr. Brenner relies on data produced by Dr. Davies, the only relevant issue is the nature and extent of Dr. Brenner’s reliance – a subject on which Dr. Brenner himself should supply the information. Biovail should not be allowed to call two experts on the same point.
- (B) Although Dr. Davies presented only a limited number of test results in his report, Biovail is seeking to introduce Dr. Davies hard drive, which has dozens if not hundreds of other test results that were not part of Dr. Davies’ report. Dr. Davies should not be permitted to testify based on or as to any of these test results that he did not put in his report. (Fed. R. Civ. P. 26(a))

- 3. **Thomas S. Foster, Ph.D.**
College of Pharmacy
University of Kentucky
725 Rose Street
Lexington, KY 40536

Dr. Foster holds a Ph.D. in Pharmacy from the University of Kentucky. Since joining the University of Kentucky in 1970, Dr. Foster has taught courses related to clinical pharmacology and therapeutics, primarily in the areas of cardiovascular/pulmonary, gastrointestinal, and critical care medicine, including advanced courses on cardiovascular disease for Doctor of Pharmacy candidates. Dr. Foster has carried out, or assisted in the evaluation of, more than 200 clinical studies involving investigational drugs and drug delivery systems, and has conducted extensive research concerning cardiovascular diseases including ischemic cardiovascular disease, angina pectoris, hypertension and congestive heart failure. Dr. Foster has worked with the FDA to develop a series of protocols for human bioavailability and bioequivalence studies which are now widely used throughout the United States, including specifications relating to the design of "fed studies" that are typically submitted to the FDA. As a member of the Council of Experts of the United States Pharmacopeia ("the USP"), Dr. Foster has helped set national standards for drug dissolution and drug release, including serving on the FDA/USP Joint Committee on Bioequivalence, which published guidances about designing, conducting and evaluating bioequivalence trials, for both in vitro and in vivo studies.

At trial, Dr. Foster will testify as an expert on clinical pharmacology and pharmacokinetics. Dr. Foster's testimony is expected to cover: (1) a tutorial on pharmacokinetics; (2) a tutorial on FDA bioequivalence standards and determinations; (3) the '866 patent as it relates to pharmacokinetics and chronotherapy; (4) pharmacokinetic properties of Cardizem® LA; (5) the clinical study data that Andrx submitted to the FDA in support of its proposed tablet products; (6) pharmacokinetic properties of Andrx's proposed tablet products; (7) an explanation why Andrx's proposed tablet products meet the in vivo elements of the '866 patent claims; and (8) rebuttal to Andrx's allegations that the '866 patent is unenforceable based on alleged inequitable conduct. Dr. Foster will also offer rebuttal testimony to any testimony by Andrx's witnesses regarding the same.

A more complete statement of Dr. Foster's qualifications and expected testimony is set forth in Dr. Foster's expert reports dated April 9, 2007; May 11, 2007; June 29, 2007; and his Curriculum Vitae attached thereto.

Defendant's Objections: Andrx objects to the proposed testimony of Dr. Foster on at least the following grounds, including failure to comply with *Daubert*, which Andrx requested to present by motion *in limine*. The Court refused to hear that motion. Accordingly, Andrx has included the relevant facts and arguments in its proposed findings of fact and conclusions of law. Andrx respectfully submits, however, that *Daubert* issue should be resolved before Dr. Foster takes the stand, based on his expert report and designated deposition testimony, insofar as the issue may determine whether Biovail is even entitled to present Dr. Foster as an expert witness on the issue of infringement of the '866 patent.

- (A) Dr. Foster's proposed opinions in (5), (7) and (8) based on a comparison of the pharmacokinetics of the accused Andrx product to the pharmacokinetics of Cardizem LA, an alleged commercial embodiment of

the patent, is irrelevant as a matter of long-settled Federal Circuit law, and should be excluded. *See* Andrx Proposed Findings at ¶¶ 99-111, citing authority and designated deposition testimony. (Fed. R. Evid. 401-402)

- (B) Dr. Foster's opinions are not based on any scientific testing or analysis of the Andrx product. Rather, they are based on his mere say-so and speculation that because Andrx is bioequivalent under some circumstances to the commercial embodiment Cardizem LA, and because Cardizem LA meets the limitations of the patent, it likely follows that Andrx's products would meet the limitations of the patent – if it ever were tested. *See, e.g.,* Andrx Proposed Findings at ¶¶ 22-33 and 112-118, citing Dr. Foster's designated deposition testimony and authority. Accordingly, Dr. Foster's testimony fails to meet the requirements of *Daubert* and Fed. R. Evid. 702-703, and should be excluded.

4. **Joel M. Neutel, M.D.**
 Medical Director
 Director of Clinical Pharmacology
 Orange County Research Center
 14351 Myford Road
 Tustin, CA 92780

Dr. Neutel obtained the equivalent of an M.D. in 1983 from the University of the Witwatersrand, in Johannesburg, South Africa. He currently serves as the Medical Director of Clinical Pharmacology at the Orange County Research Center. Dr. Neutel is also the Director of Research at the Memorial Research Medical Clinic in Long Beach, California, and is a staff physician at the Veterans Affairs Medical Center in Long Beach, California and St. Joseph Hospital in Orange, California. In addition, Dr. Neutel is an Associate Clinical Professor of Medicine in the Department of Medicine at the University of California, Irvine, where he lectures to medical students regarding cardiovascular disorders and related clinical research. Dr. Davies is a board certified specialist in Clinical Hypertension, and has authored or co-authored more than 300 journal publications, abstracts, and book chapters in the field of cardiovascular disorders. He serves on the editorial review board for *The Journal of Clinical Hypertension*, as well as serving as a reviewer for numerous other journals relating to hypertension.

At trial, Dr. Neutel will testify as an expert on hypertension and related disorders, the treatment of hypertension and related disorders by physicians. Dr. Neutel's testimony is expected to cover: (1) hypertension and related disorders; (2) the treatment of hypertension and related disorders by physicians; (3) prior diltiazem hydrochloride products; (4) the long-felt need fulfilled by Tiazac® and Cardizem® LA; (5) the advantages of Tiazac® and Cardizem® LA over prior diltiazem formulations; and (6) Cardizem® LA as a chronotherapeutic medication. Dr. Neutel will also offer rebuttal testimony to any testimony by Andrx's witnesses regarding the same.

A more complete statement of Dr. Neutel's qualifications and expected testimony is set forth in Dr. Neutel's expert report dated September 11, 2006, and his Curriculum Vitae attached thereto.

Defendant's Objections: Andrx objects to the proposed testimony of Dr. Neutel on at least the following grounds:

- (A) With respect to topic (6), Dr. Neutel failed to disclose in his report any indication that he would express an opinion as to whether Cardizem LA, the commercial embodiment of the patent, is a "chronotherapeutic medication." (Fed. R. Civ. P. 26(a)).
- (B) Many of the topics upon which Biovail proposes to offer Dr. Neutel are irrelevant or a waste of time, including (1), (2), (5), (6) with respect to the issues of whether Andrx's product infringes and whether the patents are invalid or unenforceable. (Fed. R. Evid. 401-403).
- (C) Dr. Neutel did not disclose in his report and is not qualified to testify as to (2) the treatment practices of other physicians. (Fed. R. Civ. P. 26(a)).

EXHIBIT 9

EXHIBIT 9 TO THE PRETRIAL ORDER**DEFENDANT ANDRX'S PROPOSED EXPERT TESTIMONY**

Subject to the availability of each witness at the time of trial, and any future stipulations entered into by the parties, Defendant will call the following expert witnesses in person. In addition to identifying the expert witnesses Defendant expects to call at trial, Defendant has included a brief statement about each expert's qualifications and expected testimony.

1. Roland Bodmeier, Ph.D.

Dr. Bodmeier holds a Ph.D. in Pharmaceutics from the University of Texas, and a post-doctoral degree from the Universitat Regensburg in Germany. He is currently a full Professor of Pharmaceutics at the College of Pharmacy at the Freie Universitat in Berlin, Germany, where he has taught since 1994. Prior to that, Dr. Bodmeier was a tenured Associate Professor of Pharmaceutics at the College of Pharmacy at the University of Texas, where he remains on the adjunct faculty. He has lectured, researched and written extensively in the field of oral drug delivery systems, including controlled or sustained release drug deliver systems, the development of multiparticulate coating formulations and coating excipients, biodegradable polymers in drug delivery systems, and the effective delivery of poorly soluble drugs. Dr. Bodmeier has authored approximately 120 refereed papers, 8 book chapters and 7 review papers. He is currently an Associate Editor of the *European Journal of Pharmaceutical Sciences*, and serves on the editorial board of and is a reviewer for numerous peer reviewed journals in the field of drug delivery. Dr. Bodmeier is an inventor on more than 25 patents and pending applications in the field of drug delivery systems.

At trial, Dr. Bodmeier will testify as an expert on pharmaceutical formulations and sustained release drug delivery systems. His testimony is expected to include: (1) a tutorial on formulation, extended-release oral dosage forms and polymers used in making extended release coatings of pellets or beads; (2) a general background on diltiazem hydrochloride and the '791 patent; (3) the lack of any different dissolution mechanism between each of the beads in Andrx's proposed tablet products and the beads in Andrx's prior capsule products that were the subject of a prior litigation in the U.S. District Court for the Southern District of Florida (Civ. Action No. 98-7096); (4) an explanation of why Andrx's proposed tablet does not meet several limitations of the asserted '791 patent claims; (5) an explanation of why those asserted claims are not valid in light of the prior art; (6) a demonstration that certain drug products referred to in Biovail's internal documents were included as preferred embodiments or examples in the specification of the '866 patent; and (10) an explanation as to why certain statements made by Biovail to the PTO in prosecuting the '866 patent were false or misleading.

A more complete statement of Dr. Bodmeier's qualifications and expected testimony is set forth in his expert reports and his curriculum vitae.

2. Marvin Meyer, Ph.D.

Dr. Meyer received his Ph.D. in Pharmaceutics from the State University of New York, and is Professor Emeritus at the College of Pharmacy at the University of Tennessee. During the course of his lengthy tenure beginning in 1969, Dr. Meyer served as Chairman of the Department of Pharmaceutical Sciences and as Associate Dean for Research and Research Training. He has written extensively in the field of bioavailability and generic drugs, and has competed for more than \$11 million in funding for research largely focused on bioavailability and bioequivalence. He is a Fellow of the American Association of Pharmaceutical Scientists and a reviewer for many professional journals, including *Pharmaceutical Research* and the *Journal of Pharmaceutical Sciences*.

At trial, Dr. Meyer will testify as an expert in bioavailability and bioequivalence. His testimony is expected to include: (1) a tutorial on bioavailability and bioequivalence according to the FDA guidance and criteria applied throughout the industry; (2) the failure of Biovail's experts to perform or rely on any test of Andrx's product that could show whether Andrx's product met certain bioavailability and bioequivalence limitations of the asserted claims; and (3) the material affirmative misrepresentations and omissions made by Biovail's representatives in prosecuting the '866 patent.

A more complete statement of Dr. Meyer's qualifications and expected testimony is set forth in his expert reports and his curriculum vitae.

3. Thomas Niemczyk, Ph.D.

Dr. Niemczyk holds a Ph.D. in Medicinal Chemistry and is currently Professor Emeritus of Chemistry at the University of New Mexico, where he previously served as Chair of the Department of Chemistry in the course of more than 30 years on the faculty. He has received several awards for work of exceptional merit in the field of infrared (IR) spectroscopy, including the title "Presidential Professorship" at the university and two awards from the Semiconductor Research Corporation. His research of the development and characterization of analytical techniques in chemistry has been supported by awards of nearly \$9 million in grants and contracts. He has made more than 120 presentations regarding analytical spectroscopy, and authored or co-authored over 100 articles that have been published in peer reviewed scientific journals. His speeches include "Quantitative Analysis of Polymorphic Mixtures Using Infrared Spectroscopy" and "Determinations in Mixture of Polymorphs Using Infrared Spectroscopy."

At trial, Dr. Niemczyk will testify as an expert on characterization and identification of material using infrared spectroscopy. His testimony is expected to include: (1) a tutorial on the use of Attenuated Total Reflectance/Fourier Transform Infrared Spectroscopy ("ATR-FTIR") and Transmission Infrared Spectroscopy ("TIR"), and the limitations of

the technology; (2) an explanation of how Biovail's experts misapplied and misinterpreted infrared spectroscopy techniques, and why the results they obtained do not establish that the Andrx product meets certain claim limitations, including a homogeneous admixture of diltiazem salt and sugar.

A more complete statement of Dr. Niemczyk's qualifications and expected testimony is set forth in his expert reports and curriculum vitae.

4. Chuan-Yu Wu, Ph.D.

Dr. Wu holds a Ph.D. in engineering from the School of Engineering and Applied Science, Aston University, in Birmingham, England. He is a member of the faculty of the University of Birmingham, Department of Chemical Engineering. He conducted post-doctoral research at the University of Leicester, where he began using the technology known as X-ray Microcomputed Tomography or "X-ray Micro-CT." He has used X-ray Micro CT in further research at the Pfizer Institute for Pharmaceutical Materials Science. In addition to numerous publications relating to pharmaceutical sciences, Dr. Wu has written several articles either published or pending publication in which he has used X-ray Micro CT to characterize pharmaceutical compositions.

At trial, Dr. Wu will testify as an expert in the characterization of materials using X-ray Micro-CT. His testimony is expected to include: (1) a tutorial on the use of X-ray Micro-CT and the limitations of the technology; (2) an explanation of how Biovail's experts misapplied and misinterpreted X-ray Micro-CT, and why the results they obtained do not establish that the Andrx product meets certain claim limitations, including a homogeneous admixture of diltiazem salt and sugar.

A more complete statement of Dr. Wu's qualifications and expected testimony is set forth in his expert reports and curriculum vitae.

EXHIBIT 10

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Brian Berry 2/8/07					
	6:9	6:12	Relevance (Rules 401, 402)		
	6:15	6:18	Relevance (Rules 401, 402)		
	7:16	7:20	Relevance (Rules 401, 402)		
	7:23	7:25	Relevance (Rules 401, 402)		
	8:4	8:8	Relevance (Rules 401, 402)		
	8:17	8:24	Relevance (Rules 401, 402)		
	14:21	14:25	Relevance (Rules 401, 402)		
	23:21	24:11	Relevance (Rules 401, 402)		
	33:13	34:11	Relevance (Rules 401, 402)		
	43:3	43:10	Relevance (Rules 401, 402)		
	44:15	44:17	Relevance (Rules 401, 402)		
	44:20	44:22	Relevance (Rules 401, 402)		
	76:20	76:21	Relevance (Rules 401, 402); Lacks foundation or personal knowledge (Rule 602)		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Brian Berry 2/8/07					
	77:14	78:3	Relevance (Rules 401, 402); Lacks foundation or personal knowledge (Rule 602) (Rule 602)		
	78:6	78:8	Relevance (Rules 401, 402); Lacks foundation or personal knowledge (Rule 602)		
	79:22	80:6	Relevance (Rules 401, 402)		
	80:14	80:16	Relevance (Rules 401, 402)		
	80:19	80:22	Relevance (Rules 401, 402)		
	80:24	80:25	Relevance (Rules 401, 402)		
	81:5	81:5	Relevance (Rules 401, 402)		
	81:8	81:12	Relevance (Rules 401, 402)		
	116:8	116:12	Relevance (Rules 401, 402)		
	116:16	116:24	Relevance (Rules 401, 402)		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Sanford M. Bolton 7/13/07					
	6:9	6:17	Hearsay		
	19:7	19:12	Hearsay; Relevance (Rules 401, 402), Lacks foundation or personal knowledge (Rule 602), Beyond the scope of expert report and expertise		
	19:18	19:20	Hearsay; Relevance (Rules 401, 402), Lacks foundation or personal knowledge (Rule 602), Beyond the scope of expert report and expertise		
	19:23	19:23	Hearsay; Relevance (Rules 401, 402), Lacks foundation or personal knowledge (Rule 602), Beyond the scope of expert report and expertise		
	20:21	20:22	Hearsay		
	21:13	22:2	Hearsay		
	23:11	23:13	Hearsay		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Sanford M. Bolton 7/13/07					
	29:25	30:7	Hearsay; Relevance (Rules 401, 402), Lacks foundation or personal knowledge (Rule 602), Beyond the scope of expert report and expertise		
	30:13	30:16	Hearsay; Relevance (Rules 401, 402), Lacks foundation or personal knowledge (Rule 602), Beyond the scope of expert report and expertise		
	30:18	30:20	Hearsay; Relevance (Rules 401, 402), Lacks foundation or personal knowledge (Rule 602), Beyond the scope of expert report and expertise		
	30:24	31:9	Hearsay; Relevance (Rules 401, 402), Lacks foundation or personal knowledge (Rule 602), Beyond the scope of expert report and expertise		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Sanford M. Bolton 7/13/07					
	31:11	31:13	Hearsay; Relevance (Rules 401, 402), Lacks foundation or personal knowledge (Rule 602), Beyond the scope of expert report and expertise		
	32:8	32:18	Hearsay; Relevance (Rules 401, 402), Vague or ambiguous (Rule 611(a)), Lacks foundation or personal knowledge (Rule 602), Beyond the scope of expert report and expertise		
	32:21	32:23	Hearsay; Relevance (Rules 401, 402), Vague or ambiguous (Rule 611(a)), Lacks foundation or personal knowledge (Rule 602), Beyond the scope of expert report and expertise		
	32:25	33:3	Hearsay; Relevance (Rules 401, 402), Vague or ambiguous (Rule 611(a)), Lacks foundation or personal knowledge (Rule 602), Beyond the scope of expert report and expertise		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Sanford M. Bolton 7/13/07					
	33:7	33:9	Hearsay; Relevance (Rules 401, 402), Vague or ambiguous (Rule 611(a)), Lacks foundation or personal knowledge (Rule 602), Beyond the scope of expert report and expertise		
	37:22	37:25	Hearsay; Relevance (Rules 401, 402), Vague or ambiguous (Rule 611(a))		
	38:2	38:3	Hearsay; Relevance (Rules 401, 402), Vague or ambiguous (Rule 611(a))		
	71:13	72:1	Hearsay; Relevance (Rules 401, 402), Vague or ambiguous (Rule 611(a))		
	72:3	72:6	Hearsay; Relevance (Rules 401, 402), Vague or ambiguous (Rule 611(a))		
	77:21	77:23	Hearsay; Relevance (Rules 401, 402)		
	78:3	78:6	Hearsay; Relevance (Rules 401, 402)		
	88:16	89:15	Hearsay; Relevance (Rules 401, 402)		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Sanford M. Bolton 7/13/07					
	98:9	98:15	Hearsay; Relevance (Rules 401, 402), Vague or ambiguous (Rule 611(a)), Lacks foundation or personal knowledge (Rule 602), Beyond the scope of expert report and expertise		
	100:10	100:11	Hearsay; Relevance (Rules 401, 402), Lacks foundation or personal knowledge (Rule 602), Beyond the scope of expert report and expertise		
	100:14	100:15	Hearsay; Relevance (Rules 401, 402), Lacks foundation or personal knowledge (Rule 602), Beyond the scope of expert report and expertise	100:16-19	
	100:21	101:5	Hearsay; Relevance (Rules 401, 402), Lacks foundation or personal knowledge (Rule 602), Beyond the scope of expert report and expertise		
	101:25	102:8	Hearsay		
	102:10	102:11	Hearsay		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Sanford M. Bolton 7/13/07					
	102:13	102:18	Hearsay		
	135:5	135:11	Hearsay; Relevance (Rules 401, 402), Vague or ambiguous (Rule 611(a)), Lacks foundation or personal knowledge (Rule 602)		
	162:13	163:3	Hearsay; Relevance (Rules 401, 402)		
	181:23	182:1	Hearsay; Relevance (Rules 401, 402), Beyond the scope of expert report and expertise		
	182:15	182:17	Hearsay; Relevance (Rules 401, 402), Vague or ambiguous (Rule 611(a)), Lacks foundation or personal knowledge (Rule 602), Beyond the scope of expert report and expertise		
	182:19	183:4	Hearsay; Relevance (Rules 401, 402), Vague or ambiguous (Rule 611(a)), Lacks foundation or personal knowledge (Rule 602), Beyond the scope of expert report and expertise (182:19 – 183:1)		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Sanford M. Bolton 7/13/07					
	183:6	183:11	Hearsay		
	183:13	183:19	Hearsay		
	183:21	183:21	Hearsay		
	186:19	186:24	Hearsay; Relevance (Rules 401, 402), Beyond the scope of expert report and expertise		
	187:20	188:17	Hearsay; Vague or ambiguous (Rule 611(a))		
	191:2	192:12	Hearsay		
	192:14	192:17	Hearsay		
	192:19	193:1	Hearsay		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Sanford M. Bolton 7/13/07					
	195:17	202:17	Hearsay; Vague or ambiguous (Rule 611(a)) (195:17-19), Relevance (Rules 401, 402) (195:20 – 196:9); Argumentative, Vague or ambiguous (Rule 611(a)) (196:11-14), Lacks foundation or personal knowledge (Rule 602), Misstates testimony, Vague or ambiguous (Rule 611(a)) (196:20 – 197:16); Misstates testimony, Relevance (Rules 401, 402), Lacks foundation or personal knowledge (Rule 602) (197:17 – 198:12); Relevance (Rules 401, 402), Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a)) (200:5 – 202:17)		
	203:5	203:6	Hearsay; Relevance (Rules 401, 402), Vague or ambiguous (Rule 611(a))		
	203:9	203:15	Hearsay; Relevance (Rules 401, 402), Vague or ambiguous (Rule 611(a))		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Sanford M. Bolton 7/13/07					
	203:17	203:17	Hearsay; Relevance (Rules 401, 402), Vague or ambiguous (Rule 611(a))		
	214:1	214:10	Hearsay; Vague or ambiguous (Rule 611(a))		
	221:23	222:2	Hearsay; Lacks foundation or personal knowledge (Rule 602), Beyond scope of expert report and expertise	220:18 – 221:22 222:3-13	
	242:5	242:12	Hearsay		
	243:13	244:2	Hearsay; Lacks foundation or personal knowledge (Rule 602), Beyond scope of expert report and expertise, Relevance (Rules 401, 402),		
	244:5	244:5	Hearsay; Lacks foundation or personal knowledge (Rule 602), Beyond scope of expert report and expertise, Relevance (Rules 401, 402),		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Sanford M. Bolton 7/13/07					
	289:10	289:15	Hearsay; Vague or ambiguous (Rule 611(a)), Lacks foundation or personal knowledge (Rule 602), Beyond scope of expert report and expertise		
	289:17	289:19	Hearsay; Vague or ambiguous (Rule 611(a)), Lacks foundation or personal knowledge (Rule 602), Beyond scope of expert report and expertise		
	289:21	289:23	Hearsay; Vague or ambiguous (Rule 611(a)), Lacks foundation or personal knowledge (Rule 602), Beyond scope of expert report and expertise		
	290:1	290:4	Hearsay; Vague or ambiguous (Rule 611(a)), Lacks foundation or personal knowledge (Rule 602), Beyond scope of expert report and expertise		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Sanford M. Bolton 7/13/07					
	290:6	290:8	Hearsay; Vague or ambiguous (Rule 611(a)), Lacks foundation or personal knowledge (Rule 602), Beyond scope of expert report and expertise		
	290:11	290:14	Hearsay; Vague or ambiguous (Rule 611(a)), Lacks foundation or personal knowledge (Rule 602), Beyond scope of expert report and expertise		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Jack Chen 2/9/07					
	4:5	4:8			
	5:4	5:10			
	6:19	6:22			
	7:11	7:13			
	10:1	10:8			
	12:2	12:4			
	12:10	12:14			
	12:20	12:22			
	27:17	27:19			
	27:21	27:21			
	38:5	38:5			
	38:8	38:12			
	38:15	38:15			
	39:24	40:4			
	40:6	40:6			
	41:19	42:6			
	42:8	42:8			
	43:1	43:22			
	44:4	44:8			
	44:10	44:10			
	44:12	44:14			

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Jack Chen 2/9/07					
	44:16	44:19			
	44:21	44:23			
	54:2	54:5			
	54:17	54:19			
	54:23	54:25			
	55:3	56:8			
	56:11	56:11			
	56:13	56:14			

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Xiu Xiu Cheng 8/15/06					
	8:6	8:10			
	11:19	11:22			
	27:11	28:12			
	30:10	30:14			
	31:3	31:10			
	43:6	43:20			
	46:9	47:9			
	51:8	51:23			
	51:25	52:8			
	127:23	128:3			
	128:7	128:16			
	128:18	130:13			
	130:15	134:6			
	134:8	134:11			
	134:14	134:20			
	134:22	134:22			
	134:25	135:13			
	135:17	135:21			
	135:23	136:4			
	136:6	136:9			
	136:11	137:10			

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Xiu Xiu Cheng 8/15/06					
	140:20	141:7	Vague or ambiguous (Rule 611(a)) (140:20-25)		
	154:22	155:5	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal knowledge (Rule 602) (155:2-5)		
	155:8	155:9	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal knowledge (Rule 602) (155:8)		
	155:17	155:17			
	170:16	170:17	Lacks foundation or personal knowledge (Rule 602)	171:9-17	
	170:20	171:8		171:9-17	
	171:18	172:13			
	187:18	188:10	Relevance (Rules 401, 402)		
	192:11	192:13	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal knowledge (Rule 602)		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Xiu Xiu Cheng 8/15/06					
	192:15	192:18	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal knowledge (Rule 602) (192:16- 18)		
	192:21	193:7	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal knowledge (Rule 602) (193:6-7)		
	193:10	193:13			
	193:16	193:18			
	212:24	213:22			
	215:13	215:19	Lacks foundation or personal knowledge (Rule 602) (215:13- 16)		
	215:22	216:2	Lacks foundation or personal knowledge (Rule 602) (215:24 – 216:2)		
	216:5	216:9	Lacks foundation or personal knowledge (Rule 602) (216:7-9)		
	216:12	216:15	Lacks foundation or personal knowledge (Rule 602) (216:13- 15)		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Xiu Xiu Cheng 8/15/06					
	216:18	217:3	Lacks foundation or personal knowledge (Rule 602) (216:23 – 217:2)		
	217:10	217:17			
	217:20	217:25			
	218:7	220:14	Lacks foundation or personal knowledge (Rule 602) (218:7 – 219:3); Vague or ambiguous (Rule 611(a)) (218:21-24)		
	220:17	222:9	Lacks foundation or personal knowledge (Rule 602) (221:4, 11-15, 23-25, 222:3- 5); Vague or ambig- uous (Rule 611(a)) (221:4, 222:3-5)		
	222:11	223:9	Lacks foundation or personal knowledge (Rule 602) (222:23- 25)		
	223:11	224:13	Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a)) (224:4-9, 11)		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Xiu Xiu Cheng 8/15/06					
	234:6	234:15	Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a)) (234:13-15)		
	234:18	235:9	Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a)) (234:21-23, 235:6-8)		
	235:12	235:16			
	238:7	238:22	Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a)) (238:7-9)		
	239:7	239:9			
	239:11	239:16			
	239:18	239:23	Lacks foundation or personal knowledge (Rule 602) (239:20-23)		
	239:25	240:2			
	243:9	243:21			
	245:9	245:13	Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a))		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Xiu Xiu Cheng 8/15/06					
	245:16	246:2	Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a)) (245:21 – 246:2)		
	246:4	246:22			
	247:2	248:5	Lacks foundation or personal knowledge (Rule 602) (247:5-12, 14-16)		
	248:7	248:13			
	252:12	252:14			
	252:16	253:12			
	256:6	257:3			
	262:12	263:3	Lacks foundation or personal knowledge (Rule 602)		
	263:6	263:6	Lacks foundation or personal knowledge (Rule 602)		
	265:22	265:24			
	266:14	267:5			
	267:7	267:18			
	267:21	267:21			

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Xiu Xiu Cheng 8/15/06					
	268:3	268:4	Lacks foundation or personal knowledge (Rule 602); No testimony of witness		
	271:19	271:21	Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a))		
	271:23	271:24			
	272:9	272:11	Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a))		
	272:13	272:14	Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a))		
	272:16	272:16			
	277:7	277:11	Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a))		
	277:18	277:24	Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a)) (277:20-24)		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Xiu Xiu Cheng 8/15/06					
	278:5	278:12	Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a)) (278:5, 11-12)		
	278:16	278:23	Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a)) (278:18-23)		
	279:2	279:9	Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a)) (279:8-9)		
	279:11	280:7	Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a)) (280:7)		
	280:10	280:12			
	280:15	280:20	Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a)) (280:17-20)		
	280:24	281:5	Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a)) (280:25, 281:2-5)		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Xiu Xiu Cheng 8/15/06					
	281:9	281:11			
	320:7	323:9	Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a)) (320:11-13, 19-22)		
	323:13	323:13			
	323:17	323:17			
	324:9	325:2	Relevance (Rules 401, 402), Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a)) (324:9-25)	325:3-17	
	325:18	326:23	Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a)) (325:18-21, 326:2-7, 9-11)		
	327:10	327:22	Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a)) (327:10-14, 17-19)		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Xiu Xiu Cheng 8/15/06					
	328:17	328:21	Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a)) (328:17-19)		
	329:7	329:16	Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a)) (329:7-13)		
	331:4	332:8			
	334:6	334:24			

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Alan K. Copa 3/13/07					
	4:11	4:16	Relevance (Rules 401, 402)		
	5:23	7:7	Relevance (Rules 401, 402)		
	8:5	8:9	Relevance (Rules 401, 402)		
	8:14	8:17	Relevance (Rules 401, 402)		
	13:16	16:7	Relevance (Rules 401, 402)	16:8-18	
	17:21	18:10	Relevance (Rules 401, 402)	19:3-7	
	19:13	19:16	Relevance (Rules 401, 402)		
	19:25	21:21	Relevance (Rules 401, 402)		
	24:17	24:25	Relevance (Rules 401, 402)	25:1-3	
	25:4	25:14	Relevance (Rules 401, 402)		
	27:24	28:14	Relevance (Rules 401, 402)		
	28:20	29:14	Relevance (Rules 401, 402)		
	31:6	31:16	Relevance (Rules 401, 402)		

**We object to the introduction of all designations
instead of live testimony on the grounds of hearsay (Rule 802).**

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Alan K. Copa 3/13/07					
	31:20	31:23	Relevance (Rules 401, 402)		
	37:7	38:9	Relevance (Rules 401, 402)		
	38:22	39:3	Relevance (Rules 401, 402)		
	40:6	41:4	Relevance (Rules 401, 402)		
	48:9	48:24	Relevance (Rules 401, 402)		
	49:1	49:7	Relevance (Rules 401, 402); Vague or ambiguous (Rule 611(a)) (49:4-5)		
	49:21	50:8	Relevance (Rules 401, 402)		
	51:5	51:8	Relevance (Rules 401, 402)		
	51:15	51:21	Relevance (Rules 401, 402)		
	52:3	53:7	Relevance (Rules 401, 402)		

**We object to the introduction of all designations
instead of live testimony on the grounds of hearsay (Rule 802).**

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Alan K. Copa 3/13/07					
	84:17	85:18	Relevance (Rules 401, 402); Vague or ambiguous (Rule 611(a)), Lacks foundation or personal knowledge (Rule 602) (84:17-22); Calls for improper expert or lay opinion (Rules 701, 702) (84:17-22, 24)	85:19 – 86:10	
	86:22	87:8	Relevance (Rules 401, 402)		
	87:18	88:7	Relevance (Rules 401, 402)		
	88:14	88:21	Relevance (Rules 401, 402)		
	89:1	89:16	Relevance (Rules 401, 402)		
	90:21	90:23	Relevance (Rules 401, 402)	90:24-25	
	99:7	100:1	Relevance (Rules 401, 402); Vague or ambiguous (Rule 611(a)) (99:18-20, 24-25)		
	100:3	100:11	Relevance (Rules 401, 402)		

**We object to the introduction of all designations
instead of live testimony on the grounds of hearsay (Rule 802).**

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Alan K. Copa 3/13/07					
	100:14	101:8	Relevance (Rules 401, 402); Vague or ambiguous (Rule 611(a)) (100:17-19, 101:4-8); Lack of foundation, Calls for improper expert or lay opinion (Rules 701, 702) (101:4-8)		
	101:10	101:17	Relevance (Rules 401, 402)		
	101:19	101:23	Relevance (Rules 401, 402)	101:24 – 102:2; 102:4-13, 21-25	Vague or ambiguous (Rule 611(a)) (101:24 – 102:1, 102:6-12, 23-24); Lacks foundation or personal knowledge (Rule 602), Calls for improper expert or lay opinion (Rules 701, 702) (102:6-12, 23-24)
	103:1	103:4	Relevance (Rules 401, 402); Vague or ambiguous (Rule 611(a)), Lacks foundation or personal knowledge (Rule 602), Calls for improper expert or lay opinion (Rules 701, 702) (103:1-3)	105:15 – 107:7	

**We object to the introduction of all designations
instead of live testimony on the grounds of hearsay (Rule 802).**

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Alan K. Copa 3/13/07					
	107:8	107:13	Relevance (Rules 401, 402)		
	107:15	107:18	Relevance (Rules 401, 402)		
	107:20	108:2	Relevance (Rules 401, 402)		
	108:4	108:6	Relevance (Rules 401, 402)		
	114:19	115:6	Relevance (Rules 401, 402); Vague or ambiguous (Rule 611(a)), Lacks foundation or personal knowledge (Rule 602), Calls for improper expert or lay opinion (Rules 701, 702) (115:3-4)		

**We object to the introduction of all designations
instead of live testimony on the grounds of hearsay (Rule 802).**

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Manesh Dixit 5/2/06					
	5:11	5:17			
	5:20	5:23			
	6:1	6:2			
	12:21	13:15			
	19:15	19:18			
	19:22	20:13			
	30:18	31:1			
	31:13	31:14	Vague or ambiguous (Rule 611(a))		
	31:16	31:24	Relevance (Rules 401, 402); Vague or ambiguous (Rule 611(a)) (31:19-24)		
	36:12	37:21			
	42:12	42:17			
	43:1	43:13			
	47:1	47:15			
	48:2	48:3	Vague or ambiguous (Rule 611(a)); Lacks foundation or personal know- ledge (Rule 602)		
	48:5	48:6			

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Manesh Dixit 5/2/06					
	48:8	48:9	Vague or ambiguous (Rule 611(a)); Lacks foundation or personal know- ledge (Rule 602)		
	55:22	56:16			
	57:5	57:7			
	57:9	57:10			
	57:15	58:3			
	58:7	58:7			
	60:6	60:10			
	60:12	61:7			
	82:16	83:20			
	92:20	94:17			

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Chaur-Ming (Steve) Jan 6/15/06					
	6:18	7:2			
	17:22	17:24			
	20:8	20:13			
	20:17	20:19			
	20:21	20:23			
	24:4	24:11	Relevance (Rules 401, 402); Vague or ambiguous (Rule 611(a))		
	24:14	24:14	Relevance (Rules 401, 402)		
	24:19	24:25	Relevance (Rules 401, 402); Vague or ambiguous (Rule 611(a))		
	25:2	25:5	Relevance (Rules 401, 402); Vague or ambiguous (Rule 611(a)), Lacks foundation or personal knowledge (Rule 602)		
	25:8	25:8	Relevance (Rules 401, 402)		
	27:13	27:22	Lacks foundation or personal knowledge (Rule 602)	27:23-25; 28:2-5	

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Chaur-Ming (Steve) Jan 6/15/06					
	30:2	30:9	Lacks foundation or personal knowledge (Rule 602) (30:2-4, 7-9); Vague or ambiguous (Rule 611(a)) (30:7-9)	30:16-24	
	30:11	30:15		30:16-24	
	30:25	31:10			
	31:14	31:19			
	31:21	31:24			
	32:4	32:6			
	32:10	32:12			
	32:15	33:19			
	33:22	34:2			
	34:6	34:11			
	34:14	34:16			
	34:19	34:24			
	35:3	35:8			
	35:13	35:17	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (35:14-17)		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Chaur-Ming (Steve) Jan 6/15/06					
	35:21	35:25	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (35:22-25)		
	36:3	36:3			
	38:18	38:21	Vague or ambiguous (Rule 611(a))		
	38:23	39:5	Vague or ambiguous (Rule 611(a)) (38:25 – 39:5)		
	39:9	39:10			
	40:2	40:6			
	40:10	40:10			
	42:13	42:16	Vague or ambiguous (Rule 611(a))		
	42:18	42:23	Vague or ambiguous (Rule 611(a)) (42:19-23)		
	43:2	43:5	Vague or ambiguous (Rule 611(a)) (43:4-5)		
	43:8	43:8			

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Chaur-Ming (Steve) Jan 6/15/06					
	43:24	44:3	Vague or ambiguous (Rule 611(a))		
	44:6	44:10			
	44:14	44:17			
	44:20	44:20			
	46:5	46:9	Lacks foundation or personal know- ledge (Rule 602)		
	46:13	46:13			
	50:6	50:10			
	50:12	50:14			
	50:17	50:22	Vague or ambiguous (Rule 611(a)) (50:19-22)		
	51:2	51:4			
	52:19	53:6	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (53:5-6)		
	53:10	53:12	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (53:11-12)		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Chaur-Ming (Steve) Jan 6/15/06					
	53:14	53:19	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (53:18-19)		
	53:21	53:25	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge(53:22-25)		
	54:3	54:8	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (54:4, 7-8)		
	54:10	54:12	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (54:11-12)		
	54:14	54:19	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (54:15-19)		
	54:22	54:22			

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Chaur-Ming (Steve) Jan 6/15/06					
	58:5	58:7	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (Rule 602)		
	58:11	58:17	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (58:16-17)		
	58:19	58:22	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (58:20-22)		
	58:24	59:3	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal knowledge (Rule 602) (58:25 – 59:3)		
	59:5	59:8	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal knowledge (Rule 602) (59:6-8)		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Chaur-Ming (Steve) Jan 6/15/06					
	59:10	59:16	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (59:11-15)		
	82:23	83:5	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (Rule 602)		
	83:8	83:11	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (83:9-11)		
	83:15	83:16			
	83:19	83:25	Vague or ambiguous (Rule 611(a)) (83:21-22); Lacks foundation or personal know- ledge (Rule 602) (83:21-22, 24-25)		
	84:5	84:9	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (84:7-9)		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Chaur-Ming (Steve) Jan 6/15/06					
	84:11	84:14	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (84:12-14)		
	84:18	84:20			
	84:22	85:5	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (84:25 – 85:5)		
	85:9	85:11	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (85:10-11)		
	85:14	85:20	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (85:16-20)		
	85:24	86:6	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (86:5-6)		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Chaur-Ming (Steve) Jan 6/15/06					
	86:10	86:13	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (86:12-13)		
	86:15	86:18	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (86:17-18)		
	86:20	86:25	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (86:23-24)		
	87:17	87:20	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (Rule 602)		
	87:23	87:25	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (87:24-25)		
	88:5	88:5			

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Chaur-Ming (Steve) Jan 6/15/06					
	89:20	89:23	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (Rule 602)		
	89:25	90:6			
	90:10	90:13			
	90:16	90:21	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (90:18-21)		
	90:24	91:4	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal knowledge (Rule 602) (90:25 – 91:4)		
	91:6	91:6			
	110:17	111:2	Relevance (Rules 401, 402); Lacks foundation or personal know- ledge (Rule 602)		
	111:5	111:8	Relevance (Rules 401, 402); Lacks foundation or personal know- ledge (111:6-8)		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Chaur-Ming (Steve) Jan 6/15/06					
	111:11	111:19	Relevance (Rules 401, 402)		
	111:22	112:14	Relevance (Rules 401, 402)		
	112:17	112:20	Relevance (Rules 401, 402)		
	112:22	112:25	Relevance (Rules 401, 402)		
	113:5	113:24	Relevance (Rules 401, 402)		
	114:3	114:3	Relevance (Rules 401, 402)		
	114:18	114:20	Relevance (Rules 401, 402)		
	114:24	115:4	Relevance (Rules 401, 402)		
	115:7	115:9	Relevance (Rules 401, 402)		
	115:13	115:16	Relevance (Rules 401, 402)		
	115:19	115:25	Relevance (Rules 401, 402); Vague or ambiguous (Rule 611(a)) (115:24-25)		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Chaur-Ming (Steve) Jan 6/15/06					
	116:5	116:11	Relevance (Rules 401, 402); Vague or ambiguous (Rule 611(a)), Lacks foundation or personal knowledge (116:6-11)		
	116:13	116:18	Relevance (Rules 401, 402); Vague or ambiguous (Rule 611(a)), Lacks foundation or personal knowledge (116:14-18)		
	117:5	117:12	Relevance (Rules 401, 402); Lacks foundation or personal knowledge (Rule 602) (117:10-12)		
	117:15	117:20	Relevance (Rules 401, 402); Lacks foundation or personal knowledge (Rule 602) (117:18-20)		
	117:22	118:4	Relevance (Rules 401, 402); Vague or ambiguous (Rule 611(a)), Lacks foundation or personal knowledge (Rule 602) (117:24 – 118:4)		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Chaur-Ming (Steve) Jan 6/15/06					
	118:8	118:17	Relevance (Rules 401, 402); Vague or ambiguous (Rule 611(a)), Lacks foundation or personal knowledge (118:13-16)		
	121:10	121:20	Relevance (Rules 401, 402); Lacks foundation or personal knowledge; Compound		
	121:22	121:23	Relevance (Rules 401, 402)		
	124:5	124:10	Relevance (Rules 401, 402); Vague or ambiguous (Rule 611(a)); Lacks foundation or personal knowledge (Rule 602)		
	124:12	124:16	Relevance (Rules 401, 402); Lacks foundation or personal knowledge (124:13-16)		
	124:20	125:2	Relevance (Rules 401, 402); Vague or ambiguous (Rule 611(a)), Lacks foundation or personal knowledge (Rule 602) (124:22 – 125:2)		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Chaur-Ming (Steve) Jan 6/15/06					
	125:5	125:8	Relevance (Rules 401, 402)		
	125:10	125:17	Relevance (Rules 401, 402)		
	125:21	125:21	Relevance (Rules 401, 402)		
	126:13	126:21	Relevance (Rules 401, 402); Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (Rule 602)		
	126:23	126:23	Relevance (Rules 401, 402)		
	127:20	128:8	Relevance (Rules 401, 402); Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (128:3-8)		
	128:12	128:15	Relevance (Rules 401, 402); Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (128:13-15)		
	128:19	128:19	Relevance (Rules 401, 402)		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Chaur-Ming (Steve) Jan 6/15/06					
	129:21	129:24			
	130:2	130:5			
	131:18	131:19	Vague or ambiguous (Rule 611(a)); Lacks foundation or personal know- ledge (Rule 602)		
	131:22	131:24	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (131:23)		
	133:5	133:11	Relevance (Rules 401, 402)		
	135:13	135:15	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (Rule 602)		
	135:17	135:17			
	136:19	136:23	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (Rule 602)		
	137:2	137:9			

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Chaur-Ming (Steve) Jan 6/15/06					
	137:11	137:11			
	143:5	143:10	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (Rule 602)		
	143:12	143:17		143:18-24	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (Rule 602)
	143:25	144:4	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (Rule 602)		
	144:6	144:7			
	147:8	148:5			
	148:24	149:2	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (Rule 602)		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Chaur-Ming (Steve) Jan 6/15/06					
	149:5	149:11	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (149:7-9)		
	152:14	152:17	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (Rule 602)		
	152:21	152:23	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (152:22-23)		
	152:25	152:25			
	158:13	158:17	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (158:13-16)	158:7-12	
	161:7	161:9	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (Rule 602)		
	161:13	161:13			

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Chaur-Ming (Steve) Jan 6/15/06					
	165:11	165:19			
	165:22	165:24			
	166:2	166:11			
	166:13	167:4			
	167:6	167:13			
	167:18	169:10			
	169:12	169:19			
	169:21	172:9		172:10-25 173:2-11	
	173:12	173:24			
	174:3	174:13			
	174:16	174:18			
	174:20	174:22			
	174:25	175:24			
	176:2	176:22			
	177:2	177:6			
	177:9	177:24			
	189:14	190:17			
	190:20	191:15			
	234:20	235:5	Lacks foundation or personal know- ledge (Rule 602)		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Chaur-Ming (Steve) Jan 6/15/06					
	243:25	244:14			
	244:17	244:18			
	244:20	244:20			
	244:22	244:22			
	246:12	246:16	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (Rule 602)		
	246:19	246:23			
	246:25	246:25			
	248:13	248:18	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (Rule 602)		
	248:22	248:22			
	251:20	251:25	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (Rule 602)		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Chaur-Ming (Steve) Jan 6/15/06					
	252:5	252:8	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (252:6-8)		
	252:12	252:16	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (252:15-16)		
	252:18	252:18			
	253:21	253:23	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (Rule 602)		
	254:3	254:3			
	259:11	259:13	Vague or ambiguous (Rule 611(a)), Lacks foundation or personal know- ledge (Rule 602)		
	259:16	259:17			
	260:17	260:20			
	260:23	261:6			
	282:19	283:19			

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Chaur-Ming (Steve) Jan 6/15/06					
	283:21	284:2			
	284:20	285:7	Relevance (Rules 401, 402)		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Xiaohong Qi 6/1/06					
	7:4	7:18			
	7:24	8:3			
	21:6	21:14			
	34:17	34:19			
	42:3	42:4			
	42:9	42:13			
	42:17	43:11			
	43:21	44:5			
	68:9	68:22	Relevance (Rules 401, 402); Lacks foundation or personal knowledge (Rule 602) (68:9-13, 20-22); Vague or ambiguous (Rule 611(a)) (68:20-22)		
	68:25	69:3	Relevance (Rules 401, 402); Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a)) (69:3)		
	69:7	69:16	Relevance (Rules 401, 402); Vague or ambiguous (Rule 611(a)) (69:13-16)		
	69:18	69:18	Relevance (Rules 401, 402)		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Xiaohong Qi 6/1/06					
	69:21	69:24	Relevance (Rules 401, 402)		
	70:3	70:8	Relevance (Rules 401, 402)		
	70:10	70:18	Relevance (Rules 401, 402)		
	74:4	74:17	Relevance (Rules 401, 402); Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a)) (74:4-7)		
	83:11	84:9	Relevance (Rules 401, 402)		
	84:12	84:12	Relevance (Rules 401, 402)		
	93:24	94:22			
	95:2	95:18			
	111:7	111:12	Relevance (Rules 401, 402); Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a))		
	111:17	111:21	Relevance (Rules 401, 402); Vague or ambig- uous (Rule 611(a))		
	111:24	112:2	Relevance (Rules 401, 402); Vague or ambig- uous (Rule 611(a))		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Xiaohong Qi 6/1/06					
	114:7	114:10	Relevance (Rules 401, 402); Lacks foundation or personal knowledge (Rule 602); Vague or ambiguous (Rule 611(a))		
	114:13	114:13	Relevance (Rules 401, 402); Lacks foundation or personal knowledge (Rule 602); Vague or ambiguous (Rule 611(a))		
	114:15	114:16	Relevance (Rules 401, 402); Lacks foundation or personal knowledge (Rule 602); Vague or ambiguous (Rule 611(a))		
	114:18	114:20	Relevance (Rules 401, 402); Lacks foundation or personal knowledge (Rule 602); Vague or ambiguous (Rule 611(a))		
	127:19	127:23	Relevance (Rules 401, 402); Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a))		
	128:18	129:4	Relevance (Rules 401, 402), Lacks foundation or personal knowledge (Rule 602); Compound (128:25 – 129:4)		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Xiaohong Qi 6/1/06					
	129:7	129:8	Relevance (Rules 401, 402); Lacks foundation or personal knowledge (Rule 602); Compound		
	129:10	129:22	Relevance (Rules 401, 402); Vague or ambiguous (Rule 611(a)) (129:13-14)		
	129:25	129:25	Relevance (Rules 401, 402)		
	130:4	130:9	Relevance (Rules 401, 402)		
	137:17	137:19			
	137:22	137:24			
	138:3	138:3			
	138:6	138:6			
	139:2	139:3	Lacks foundation or personal knowledge (Rule 602); Vague or ambiguous (Rule 611(a))		
	139:6	139:6	Lacks foundation or personal knowledge (Rule 602); Vague or ambiguous (Rule 611(a))		
	139:14	139:18	Lacks foundation or personal knowledge (Rule 602); Vague or ambiguous (Rule 611(a))		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Xiaohong Qi 6/1/06					
	139:20	140:7	Lacks foundation or personal knowledge (Rule 602); Vague or ambiguous (Rule 611(a)) (140:5-7)		
	140:9	140:13	Lacks foundation or personal knowledge (Rule 602); Vague or ambiguous (Rule 611(a)) (140:10-13)		
	140:16	140:16	Lacks foundation or personal knowledge (Rule 602); Vague or ambiguous (Rule 611(a))		
	140:18	140:21	Lacks foundation or personal knowledge (Rule 602); Vague or ambiguous (Rule 611(a))		
	140:23	140:24	Lacks foundation or personal knowledge (Rule 602)		
	142:25	143:15			
	143:18	143:19			
	143:21	144:5			
	144:7	144:13			
	144:17	144:17			
	149:16	149:20			
	150:13	150:20			

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Xiaohong Qi 6/1/06					
	150:23	150:24			
	176:2	176:25			
	177:3	177:3			
	199:2	199:15			
	199:17	199:19	Lacks foundation or personal knowledge (Rule 602); Vague or ambiguous (Rule 611(a))		
	206:14	207:6			
	229:14	229:16	Relevance (Rules 401, 402); Lacks foundation or personal knowledge (Rule 602); Vague or ambiguous (Rule 611(a))		
	229:19	230:4	Relevance (Rules 401, 402); Vague or ambiguous (Rule 611(a)) (230:3-4)		
	230:6	230:9	Relevance (Rules 401, 402)		
	230:11	230:13	Relevance (Rules 401, 402)		
	230:18	230:19	Relevance (Rules 401, 402)		
	230:21	230:24	Relevance (Rules 401, 402)		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Xiaohong Qi 6/1/06					
	231:2	231:4	Relevance (Rules 401, 402)		
	249:9	249:23	Relevance (Rules 401, 402)		
	250:21	250:24	Relevance (Rules 401, 402)		
	265:14	265:15			
	265:18	265:25			
	266:2	267:17			
	267:22	268:9			
	269:8	269:9			
	269:12	269:16			
	269:18	270:14			
	273:6	273:11	Lacks foundation or personal knowledge (Rule 602); No testimony of witness		
	273:15	273:24	Lacks foundation or personal knowledge (Rule 602); No testimony of witness		
	276:22	276:25	Lacks foundation or personal knowledge (Rule 602)		
	286:22	287:3			
	287:6	287:6			
	295:24	297:8			

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Lawrence J. Rosenthal 6/2/06					
	5:25	6:7			
	6:23	6:25			
	8:12	8:17			
	14:4	14:11			
	14:17	15:11			
	17:19	17:20	Relevance (Rules 401, 402)		
	17:22	18:5	Relevance (Rules 401, 402)		
	20:17	20:25	Relevance (Rules 401, 402)		
	21:11	22:4	Relevance (Rules 401, 402)		
	29:22	29:25	Relevance (Rules 401, 402)		
	35:8	35:15	Relevance (Rules 401, 402); Vague or ambiguous (Rule 611(a)), Lacks foundation or personal knowledge (Rule 602), Beyond the scope of the Rule 30(b)(6) deposition (35:13-15)		
	35:19	35:20	Relevance (Rules 401, 402)		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Lawrence J. Rosenthal 6/2/06					
	44:15	45:9	Relevance (Rules 401, 402)		
	45:11	45:12	Relevance (Rules 401, 402)		
	45:19	45:21	Relevance (Rules 401, 402)		
	47:6	47:6	Relevance (Rules 401, 402)		
	49:5	49:22	Relevance (Rules 401, 402)		
	53:21	55:6	Relevance (Rules 401, 402)		
	61:14	63:4	Relevance (Rules 401, 402)		
	63:7	63:12	Relevance (Rules 401, 402)		
	63:17	63:23	Relevance (Rules 401, 402)		
	64:15	64:20	Relevance (Rules 401, 402)		
	64:25	65:8	Relevance (Rules 401, 402)		
	65:12	65:23	Relevance (Rules 401, 402)		
	72:5	72:19	Relevance (Rules 401, 402); Beyond the scope of the Rule 30(b)(6) deposition		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Lawrence J. Rosenthal 6/2/06					
	73:17	74:16	Relevance (Rules 401, 402); Beyond the scope of the Rule 30(b)(6) deposition		
	74:23	74:24	Relevance (Rules 401, 402); Beyond the scope of the Rule 30(b)(6) deposition		
	75:3	75:10	Relevance (Rules 401, 402); Beyond the scope of the Rule 30(b)(6) deposition		
	75:13	75:19	Relevance (Rules 401, 402); Beyond the scope of the Rule 30(b)(6) deposition		
	75:22	75:22	Relevance (Rules 401, 402); Beyond the scope of the Rule 30(b)(6) deposition		
	76:1	76:13	Relevance (Rules 401, 402); Beyond the scope of the Rule 30(b)(6) deposition		
	77:20	77:24	Relevance (Rules 401, 402); Beyond the scope of the Rule 30(b)(6) deposition		
	78:6	78:9	Relevance (Rules 401, 402); Beyond the scope of the Rule 30(b)(6) deposition		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Lawrence J. Rosenthal 6/2/06					
	78:11	78:13	Relevance (Rules 401, 402); Beyond the scope of the Rule 30(b)(6) deposition		
	78:15	78:22	Relevance (Rules 401, 402); Beyond the scope of the Rule 30(b)(6) deposition		
	78:25	78:25	Relevance (Rules 401, 402); Beyond the scope of the Rule 30(b)(6) deposition		
	80:11	80:20	Relevance (Rules 401, 402); Beyond the scope of the Rule 30(b)(6) deposition		
	86:22	86:24	Relevance (Rules 401, 402)		
	87:2	87:6	Relevance (Rules 401, 402)		
	94:18	94:22	Relevance (Rules 401, 402); Vague or ambiguous (Rule 611(a)), Lacks foundation or personal knowledge (Rule 602) (94:18-21)		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Lawrence J. Rosenthal 6/2/06					
	98:19	98:21	Relevance (Rules 401, 402); Beyond the scope of the Rule 30(b)(6) deposition; Lacks foundation or personal knowledge (Rule 602)		
	99:2	99:4	Relevance (Rules 401, 402); Beyond the scope of the Rule 30(b)(6) deposition; Lacks foundation or personal knowledge (Rule 602)	99:5-7, 9-11, 18-19	Vague or ambiguous (Rule 611(a)), Beyond the scope of the Rule 30(b)(6) deposition, Lacks foundation or personal knowledge (Rule 602) (99:5-7, 9-11)

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Janet Vaughn 5/4/06					
	5:8	5:13			
	6:7	6:22			
	26:6	26:10			
	26:14	26:17			
	27:2	27:7			
	30:19	31:11			
	31:14	31:20			
	53:21	54:6			
	56:9	56:11	Relevance (Rules 401, 402)		
	56:13	56:17			
	56:19	56:20	Relevance (Rules 401, 402)		
	56:23	56:25			
	57:2	57:5	Relevance (Rules 401, 402) (57:2-4)		
	63:21	64:5	Relevance (Rules 401, 402) (63:21-22, 64:3-4)		
	70:16	71:6	Relevance (Rules 401, 402) (70:16 – 71:3)		
	71:9	73:13			
	73:22	74:3			

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Janet Vaughn 5/4/06					
	74:8	74:16			
	79:2	81:3	Relevance (Rules 401, 402) (79:2 – 80:8); Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a)) (81:1-3)		
	81:6	81:18	Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a)) (81:17-18)		
	81:22	82:1	Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a)) (81:24 – 82:1)		
	82:3	83:2	Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a)) (82:24 – 83:2)		
	83:4	83:11	Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a)) (83:9-11)		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Janet Vaughn 5/4/06					
	83:13	83:21	Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a)) (83:20-21)		
	83:24	84:3	Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a)) (84:1-3)		
	84:5	84:10	Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a)) (84:7-9)		
	84:12	84:15	Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a)) (84:13-15)		
	84:17	84:21	Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a)) (84:19-21)		
	84:23	84:23			
	87:19	88:3			
	96:17	97:25			

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Janet Vaughn 5/4/06					
	98:20	102:10	Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a)) (102:8-10)		
	102:12	102:12			
	115:23	115:25	Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a))		
	116:3	116:8	Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a)) (116:6-8)		
	116:11	116:13			
	118:14	119:15	Relevance (Rules 401, 402)		
	119:17	119:23	Relevance (Rules 401, 402)		
	119:25	120:5	Relevance (Rules 401, 402)		
	120:7	120:11	Relevance (Rules 401, 402)		
	120:13	120:14	Relevance (Rules 401, 402)		
	120:17	121:10	Relevance (Rules 401, 402)		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Janet Vaughn 5/4/06					
	121:12	121:14	Relevance (Rules 401, 402)		
	121:16	121:20	Relevance (Rules 401, 402); Vague or ambiguous (Rule 611(a)), Lacks foundation or personal knowledge (Rule 602), Calls for improper expert or lay opinion (Rules 701, 702) (121:18- 20)		
	121:23	121:23	Relevance (Rules 401, 402)		
	125:25	126:11			
	126:13	127:25			
	128:4	128:13			
	143:24	144:3	Relevance (Rules 401, 402); Vague or ambiguous (Rule 611(a)), Lacks foundation or personal knowledge (Rule 602), Calls for improper expert or lay opinion (Rules 701, 702) (144:2-3)		
	144:5	144:7	Relevance (Rules 401, 402)		
	144:9	144:10	Relevance (Rules 401, 402)		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Janet Vaughn 5/4/06					
	146:21	146:25	Relevance (Rules 401, 402)		
	149:5	149:17	Relevance (Rules 401, 402)		
	149:19	149:23	Relevance (Rules 401, 402)		
	149:25	149:25	Relevance (Rules 401, 402)		
	158:18	158:24	Relevance (Rules 401, 402)		
	159:6	159:10	Relevance (Rules 401, 402)		
	159:12	159:14	Relevance (Rules 401, 402)		
	159:17	159:23	Relevance (Rules 401, 402)		
	159:25	160:4	Relevance (Rules 401, 402)		

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Guohua Zhang 6/16/06					
	6:18	6:23			
	14:14	15:8			
	21:3	22:2	Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a)) (21:3-8)		
	22:24	23:7	Vague or ambiguous (Rule 611(a)) (22:24-25, 23:2-4)		
	23:20	23:23			
	25:17	26:5			
	26:9	27:2	Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a)) (26:11-15, 17-20, 22-25); Calls for improper expert or lay opinion (Rules 701, 702) (26:22-25)		
	27:23	28:2			
	31:13	32:3		32:10-17	Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a)) (32:10-14)

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Guohua Zhang 6/16/06					
	32:18	33:3	Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a)) (32:18-23)		
	35:2	35:8			
	36:6	37:19	Lacks foundation or personal knowledge (Rule 602) (36:23 – 37:19)		
	39:7	39:19			
	41:18	41:24			
	46:2	46:6		46:7-14	
	46:15	46:22			
	47:24	48:7			
	48:23	51:4	Lacks foundation or personal knowledge (Rule 602) (48:23 – 50:4, 13-15); Vague or ambiguous (Rule 611(a)) (50:13-15)	51:5-7	
	51:17	51:22			
	52:4	52:18	Vague or ambiguous (Rule 611(a)) (52:9-12, 15-17); Lacks foundation or personal knowledge (Rule 602) (52:15-17)		
	53:14	53:22			

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Guohua Zhang 6/16/06					
	54:3	54:6			
	55:6	55:17			
	76:19	76:21			
	78:23	80:6			
	83:8	83:25			
	84:5	84:14			
	85:6	85:9			
	85:17	85:19			
	88:9	88:16	Lacks foundation or personal knowledge (Rule 602) (88:13-15)		
	89:21	89:24	Relevance (Rules 401, 402); Vague or ambiguous (Rule 611(a)) (89:21-23)		
	94:22	95:20	Relevance (Rules 401, 402)		
	102:19	102:22	Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a)), Calls for improper expert or lay opinion (Rules 701, 702)	102:23-25 103:2-15	Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a)), Calls for improper expert or lay opinion (Rules 701, 702)
	107:24	108:3			
	108:7	109:23		109:24-25 110:2-15	

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Guohua Zhang 6/16/06					
	110:16	111:6		111:7-9	
	111:10	111:12			
	123:21	124:11	Relevance (Rules 401, 402)		
	127:21	127:25	Relevance (Rules 401, 402), Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a)), No testimony of witness		
	128:8	128:15	Relevance (Rules 401, 402)		
	137:14	137:24			
	138:17	138:24			
	141:7	141:13	Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a)) (141:7-12)		
	141:21	141:25	Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a)) (141:21-24)		
	149:1	151:2	Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a)) (149:25)	151:3-6	

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Guohua Zhang 6/16/06					
	151:7	152:2	Relevance (Rules 401, 402) (151:19 – 152:2)	152:3-11	Relevance (Rules 401, 402)
	152:12	152:18	Relevance (Rules 401, 402), Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a))		
	157:13	158:10			
	160:14	160:21	Relevance (Rules 401, 402)		
	161:17	162:8	Relevance (Rules 401, 402) (162:3-8)		
	163:17	163:21	Relevance (Rules 401, 402)		
	174:4	174:17			
	180:8	180:10	Vague or ambiguous (Rule 611(a)) (180:8-9)	180:11-18	
	180:19	180:22	Vague or ambiguous (Rule 611(a)) (180:19-21)		
	193:5	193:16		189:9-25 190:2-25 191:2-25 192:2-25 193:2-4	Vague or ambiguous (Rule 611(a)) (189:9-13)
	200:4	200:13			

**DEFENDANTS ANDRX'S OBJECTIONS AND COUNTER-DESIGNATIONS TO
PLAINTIFF BIOVAIL'S DEPOSITION DESIGNATIONS**

Witness (Date)	Plaintiff's Initial Designations: Line Start	Plaintiff's Initial Designations: Line End	Defendants' Objections	Defendants' Counter- Designations	Plaintiff's Objections to Counter- Designations
Guohua Zhang 6/16/06					
	203:8	203:21	Lacks foundation or personal knowledge (Rule 602), Vague or ambiguous (Rule 611(a)) (203:18-20)		
	204:6	204:19	Relevance (Rules 401, 402)		
	205:5	205:25	Relevance (Rules 401, 402)		
	206:23	207:4			

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on November 6, 2007, I electronically filed the foregoing with the Clerk of the Court using CM/ECF, which will send notification of such filing(s) to the following:

Richard L. Horwitz
POTTER ANDERSON & CORROON LLP

and that I caused copies to be served upon the following in the manner indicated:

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